

4449
BILL NO. Z-79-04-18

24-24
ZONING MAP ORDINANCE NO. Z-

Rail


AN ORDINANCE amending the City of
Fort Wayne Zoning Map No. 0-35.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby designated a M1 District under the terms of Chapter 33, Municipal Code of the City of Fort Wayne, Indiana, 1974; and the symbols of the City of Fort Wayne Zoning Map No. 0-35, referred to therein, established by Section 33-11, of said Chapter are hereby changed accordingly, to wit:

N. 80' of S. 160' of E. 272.25' of the N 1/2 of the
SE. 1/4 of Section 36, T 30 N. R. 12 E., to the City
of Fort Wayne, Allen County, Indiana.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.


Councilman

APPROVED AS TO FORM
AND LEGALITY,


CITY ATTORNEY

Read the first time in full and on motion by Quibbe, seconded by J. Schmidt, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.
DATE: 4-24-79 Charles W. Westerlunde
CITY CLERK

Read the third time in full and on motion by Talarico, seconded by Stier, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-VIT:
TOTAL VOTES	0	5	1	2	
BURNS		X			
HINGA		X			
HUNTER		X			
MOSES		X			
NICKOLS				X	
SCHMIDT, D.			X		
SCHMIDT, V.				X	
STIER		X			
TALARICO		X			

DATE: 6-12-79 Charles W. Westerlunde
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. _____ on the _____ day of _____, 19____.
ATTEST: (SEAL)

CITY CLERK _____ PRESIDING OFFICER _____
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.
CITY CLERK _____

Approved and signed by me this _____ day of _____, 19____ at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 24, 1979, referred a proposed zoning ordinance amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-79-04-18; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 14, 1979;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 21, 1979.

Certified and signed this
22nd day of May, 1979.



Thomas Adams
Secretary

Bill No. Z-79-04-18

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending the City of Fort Wayne Zoning Map No. 0-35

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance is to PASS.

JOHN NUCKOLS - CHAIRMAN

SAMUEL J. TALARICO - VICE CHAIRMAN

VIVIAN G. SCHMIDT

JAMES S. STIER

WILLIAM T. HINGA

John Nuckols
Samuel J. Talarico
Vivian G. Schmidt
James S. Stier
William T. Hinga

6-12-79
DATE

CONCURRED IN

CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

Date 3-29 1979 No. 10739

Received From

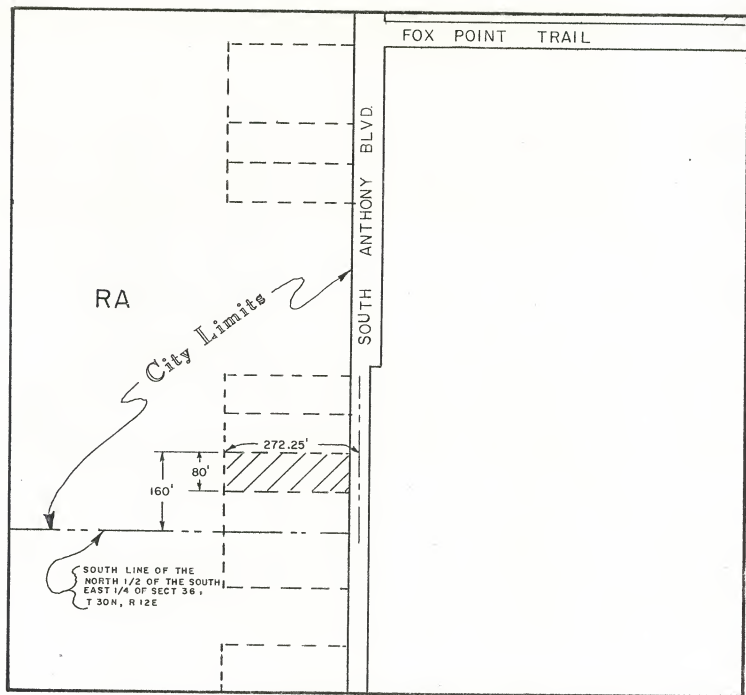
Address

For

M&L Vending Service, Inc
8434 So. Anthonyfifty Dollars \$ 50.00regional RA to MI

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK	<input checked="" type="checkbox"/>	
BALANCE DUE			MONEY ORDER		

By Pat B.#
16223



 CHANGE. FROM RA TO M-1

Map No. O-35

Z-79-04-18



Date Filed _____

Intended Use Storage buildingI/We MARVIN E. BERGER and LOIS A. BERGER

(Applicant's Name or Names)

do hereby petition your Honorable Body to amend the Zoning Map of
 Fort Wayne, Indiana, by reclassifying from a/an RA District
 to a/an M-1 District the property described as follows:

N. 80' of S. 160' of E. 272.25' of the N 1/2 of the SE. 1/4 of
Section 36, T 30 N. R. 12 E., to the City of Fort Wayne, Allen
County, Indiana.

(Legal Description) If additional space is needed, use reverse side.

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

MARVIN E. BERGER8434 South Anthony BoulevardLOIS A. BERGERFort Wayne, IN 46816

(Name)

(Address & Zip Code)

(Signature)

(If additional space is needed, use reverse side)

Legal Description checked by Marvin E. Berger

NOTE FOLLOWING RULES

All requests for continuances or requests that ordinances be taken under advisement shall be filed, in writing, in the office of Community Development and Planning, by noon on the Wednesday preceding the meeting of the City Plan Commission at which the ordinance is to be considered. If the request for a continuance or advisement is filed within the required time, the matter will not be put on the agenda for the meeting. It shall be the obligation of the petitioner to notify the same property owners which the Plan Commission had notified by mail that the hearing has been postponed or rescheduled and inform them of the time and place of the meeting at which the ordinance will be considered. All withdrawals of the ordinances must be made in writing prior to the Plan Commission's vote on the ordinance. (FILING FEE: \$50.00)

Name and address of the preparer, attorney or agent.

Marvin E. Berger

(Name)

8434 So. Anthony 46816

(Address & Zip code)

447-1113

(Telephone Number)

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning and Zoning (CITY PLAN COMMISSION) / Room # 830, City-County Building, One Main Street / Fort Wayne, Indiana 46802 (Phone: 423-7571)

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

Legal Description of property to be rezoning

Owners of Property

<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
<hr/>	<hr/>	<hr/>
(Name)	(Address & Zip Code)	(Signature)

Fort Wayne, Indiana
November 9, 1978

Mr. Gary Baeten
Senior Planner
City Plan Commission
8th Floor, City-County Building
Fort Wayne, Indiana 46802

Dear Sir:

My immediate neighbor, Mr. Marvin E. Berger, informs me that he is considering the addition of a storage building on his property. He has in fact, shown me the type of building he wishes to construct, and I would in no way object to the addition of this building to the neighborhood.

I sincerely hope that you will act favorably on his request for a permit to construct this building when the matter is presented to your office.

Yours very truly,

Arthur D. Bourie
Arthur D. Bourie
8510 S. Anthony Blvd.
Fort Wayne, Indiana 46816

Sworn to and subscribed before me this 10th day of November, 1978.

Glenn L. Bourie
Notary Public
Allen County, In.

My Commission Expires:

March 3, 1981

October 26, 1978

City Plan Commission
Attn: Gary Baeten
Senior Planner
8th Floor - City-County Bldg.
Ft. Wayne, IN 46802

Dear Mr. Baeten:

I am writing to you in regards to my neighbor, Marvin E. Berger, 8434 So. Anthony Blvd., who is interested in building a storage building on his property.

I have no objections to Mr. Berger building this building as I feel it would be a great asset to both our properties.

Sincerely,

Howard H. Funk

Howard Funk
8424 So. Anthony Blvd.
Ft. Wayne, IN 46816

Cheryl Ann Smith
(Cheryl Ann Smith) Notary Public

Resident of Allen County, Indiana.

My Commission Expires:

July 11, 1982



155 1/2 W. CALHOUN STREET, FORT WAYNE, IN 46807
PHONE 456-1253



July 26, 1971

Appraisal for Mr. & Mrs. Burger on property located at 8434 S. Anthony.

Legal Description: N. 80' of S. 160' of E. 272.25' of the N $\frac{1}{2}$ of the S.W. $\frac{1}{4}$ of Section 36, T 30 N. R. 12 E., to the City of Fort Wayne, Allen County, Indiana.

Home Size-----	1773 Sq. feet	--	\$18,400.00
Garage Size-----	328 Sq. feet	-	1,480.00
Block Storage Bldg.-----	864 Sq. feet	-	3,500.00
Steel Storage Bldg.-----	621 Sq. feet	-	1,800.00
Lot Size -----	80 x 250	-	2,800.00
			<u>\$27,980.00</u>

Basic house: Cape Cod plus family room and basement.

Total Value----- \$27,980.00

I hereby hand you my opinion which is the result of my inspecting the described real estate and data from the neighborhood including a comparison of similar homes in similar locations also replacement value less depreciation.

In my opinion as of July 26, 1971, the combined value of the real estate and improvements is \$27,980.00.

CLEARY, QUINN & HICKS, REALTORS

William F. Hicks
William F. Hicks, Realtor

WFH:mr

Encl:

4449

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Zoning Ordinance Amendment

3-79-04-18

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&P

SYNOPSIS OF ORDINANCE A tract of land commonly known as 8434 So. Anthony Blvd.,
Fort Wayne, Allen County, Indiana.

EFFECT OF PASSAGE Property is now zoned RA - Suburban Residential.
Property will become M1 - Light Industrial.

EFFECT OF NON-PASSAGE Property will remain RA - Suburban Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____